

COTE, J

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE APPLICATION OF MUSIC NET, INC.,

09 Civ. 7070 (DLC) (MHD)

ECF CASE

Related to

41 Civ. 1395 (DLC)

UNITED STATES OF AMERICA,

Plaintiff,

-against-

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED

DOC #:

DATE FILED: 9/8/10

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

WHEREAS, the parties have reached a settlement of the issues raised in the above-captioned proceeding and hereby stipulate that it may be dismissed;

IT IS HEREBY ORDERED THAT:

1. The Application brought by the American Society of Composers, Authors and Publishers ("ASCAP") for Determination of Reasonable License Fees and Interim Fees for MusicNet, Inc., a/k/a MediaNet Digital ("MusicNet"), for its transmission of performances of music in the ASCAP repertory by means of MusicNet's Internet and other services, dated August 22, 2006, is DISMISSED WITH PREJUDICE for periods through December 31, 2009, and DISMISSED WITHOUT PREJUDICE for the period

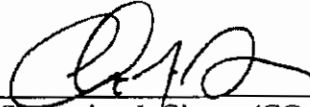
commencing January 1, 2010, and with each side to bear its own attorneys' fees and costs.

2. This Stipulation and Order can be executed via facsimile and in counterpart copies.

3. This proceeding shall be marked CLOSED by the Clerk.

Dated: New York, New York
September 1, 2010

WHITE & CASE L.L.P.

By: 
Christopher J. Glancy (CG 1120)
Stefan M. Mentzer (SM 2542)
1155 Avenue of the Americas
New York, New York 10036
(212) 819-8200
cglancy@ny.whitecase.com
smentzer@ny.whitecase.com

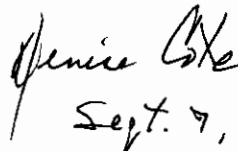
-and-

Richard H. Reimer (RR 7878)
Christine Pepe (CP 5688)
ASCAP
One Lincoln Plaza
New York, New York 10023
(212) 621-6200
rreimer@ascap.com
cpepe@ascap.com

*Attorneys for American Society of
Composers, Authors and Publishers*

The Clerk of Court shall close the case.

So ordered.


Sept. 7, 2010

Dated: New York, New York
September 7, 2010

GREENBERG TRAURIG, LLP

By: Kenneth L. Steinhalk
Kenneth L. Steinhalk (KS 7897)
153 Townsend Street, 8th Floor
San Francisco, CA 94107
(415) 655-1320
steinhalk@gtlaw.com

*Attorneys for MusicNet, Inc. a/k/a MediaNet
Digital*

SO ORDERED.

Dated: New York, New York
_____, 2010

DENISE COTE
United States District Judge